

motor vehicles. The allocations shall be made in accordance with the formula for apportioning funds among the States under section 402(c).

(e) **USE OF GRANT FUNDS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), a State may use a grant under this section for any safety purpose under this title or for any project that corrects or improves a hazardous roadway location or feature or proactively addresses highway safety problems, including—

- (A) intersection improvements;
- (B) pavement and shoulder widening;
- (C) installation of rumble strips and other warning devices;
- (D) improving skid resistance;
- (E) improvements for pedestrian or bicyclist safety;
- (F) railway-highway crossing safety;
- (G) traffic calming;
- (H) the elimination of roadside obstacles;
- (I) improving highway signage and pavement marking;
- (J) installing priority control systems for emergency vehicles at signalized intersections;
- (K) installing traffic control or warning devices at locations with high accident potential;
- (L) safety-conscious planning; and
- (M) improving crash data collection and analysis.

(2) **SAFETY ACTIVITY REQUIREMENT.**—Notwithstanding paragraph (1), the Secretary shall ensure that at least \$1,000,000 of amounts received by States under this section are obligated for safety activities under this chapter.

(3) **SUPPORT ACTIVITY.**—The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to safety belt use laws.

(f) **CARRY-FORWARD OF EXCESS FUNDS.**—If the amount available for grants under this section for any fiscal year exceeds the sum of the grants made under this section for that fiscal year, the excess amount and obligational authority shall be carried forward and made available for grants under this section in the succeeding fiscal year.

(g) **FEDERAL SHARE.**—The Federal share payable for grants under this section shall be 100 percent.

(h) **PASSENGER MOTOR VEHICLE DEFINED.**—In this section, the term “passenger motor vehicle” means—

- (1) a passenger car;
- (2) a pickup truck; and
- (3) a van, minivan, or sport utility vehicle with a gross vehicle weight rating of less than 10,000 pounds.

(Added Pub. L. 93-643, §126(a), Jan. 4, 1975, 88 Stat. 2291; amended Pub. L. 94-280, title II, §205, May 5, 1976, 90 Stat. 453; Pub. L. 95-599, title I, §129(g), Nov. 6, 1978, 92 Stat. 2708; Pub. L. 109-59, title II, §2005(a), Aug. 10, 2005, 119 Stat. 1524.)

AMENDMENTS

2005—Pub. L. 109-59 amended section catchline and text generally, substituting provisions relating to safety belt performance grants for provisions relating to school bus driver training.

1978—Subsec. (c). Pub. L. 95-599 substituted “section shall not exceed 75 per centum” for “title shall not exceed 70 per centum”.

1976—Subsecs. (b), (c). Pub. L. 94-280 redesignated as subsec. (c) the authorization provisions previously set out as a second subsec. (b), provided for obligation of at least \$7,000,000 for fiscal years 1977 and 1978 to carry out this section, and provided for availability of funds for obligation in the same manner and to the same extent as if the funds were apportioned under section 402(c) of this title.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 2022 of Pub. L. 109-59, set out as a note under section 402 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment Pub. L. 95-599 effective with respect to obligations incurred after Nov. 6, 1978, see section 129(h) of Pub. L. 95-599, set out as a note under section 120 of this title.

§ 407. Innovative project grants

(a) In addition to other grants authorized by this chapter, the Secretary may make grants in any fiscal year to those States, political subdivisions thereof, and nonprofit organizations which develop innovative approaches to highway safety problems in accordance with criteria to be established by the Secretary in cooperation with the States, political subdivisions thereof, and such nonprofit organizations as the Secretary deems appropriate.

(b) The Secretary shall establish a procedure for the selection of grant applications submitted under this section. In developing such procedure, the Secretary shall consult with the States and political subdivisions thereof, appropriate Federal departments and agencies, and such other public and nonprofit organizations as the Secretary deems appropriate.

(c) Any State, political subdivision thereof, and nonprofit organization may make an application under this section to carry out an innovative project described in subsection (a) of this section. Such application shall be in such form and contain such information as the Secretary, by regulation, prescribes.

(d) Not to exceed 2 per centum of the funds authorized to be appropriated to carry out this section shall be available to the Secretary for the necessary costs of administering the provisions of this section.

(e) The Secretary shall submit an annual report to the Congress which provides a description of each application received for a grant under this section and an evaluation of innovative projects carried out with grants made under this section.

(Added Pub. L. 95-599, title II, §208(a), Nov. 6, 1978, 92 Stat. 2732.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsec. (e) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 31 of House Document No. 103-7.

§ 408. State traffic safety information system improvements

(a) **GRANT AUTHORITY.**—Subject to the requirements of this section, the Secretary shall make